IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO.1093 OF 2004

Dilawar Ghudu Mujawar & Ors. ...Appellants

vs.

Babasaheb Rasul Majuwar & Ors. ...Respondents

Mr.T.S.Ingale for the Appellants
Mr.S.R.Nargolkar for the Respondents

CORAM: A.S.OKA,J.
DATE : MARCH 23, 2005.

P.C.:

1. Heard Shri Ingale for the Appellant. The Appeal is by the original Defendant Nos.2 to 6. The Trial Court decreed the suit for possession filed by the Respondent No.1-Plaintiff. The Appeal preferred by the present Appellants in the District Court has been dismissed. The Appellants were seeking to protect their possession by invoking Section 53 A of the Transfer of Property Act, 1882 on the basis of alleged Agreement for Sale dated 7th May 1972. The Appellate Court has given detailed reason for coming to the conclusion that the Agreement dated 7th May 1972 was suspicious and it was not established.

2. Considering the concurrent findings of fact recorded by the Courts below, no interference is called for. Second Appeal is dismissed with no order as to costs.

JUDGE.